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9 LAWRENCE CARLTON SMITH,

No. C 13-3316 MEJ (pr)

10 Plaintiff,

**ORDER GRANTING MOTION TO
DISMISS DEFENDANT ZORNES**

11 v.

12 L. STEPP, et al.,

(Docket No. 67)

13 Defendants.
14 _____ /

15 Plaintiff Lawrence Carlton Smith filed a *pro se* civil rights action under 42 U.S.C.
16 § 1983. On September 23, 2014, defense counsel notified the court that the Office of the
17 Attorney General was informed that Defendant Zornes has been deceased since October
18 2012. On October 14, 2014, the court directed Plaintiff to locate Defendant Zornes'
19 successors or representatives and file a motion for substitution within ninety days. Plaintiff
20 has filed a motion to dismiss Defendant Zornes due to his inability to locate Defendant
21 Zornes' successors or representatives. Plaintiff's motion is **GRANTED**. The Clerk of the
22 Court is instructed to dismiss all claims against Defendant Zornes, terminate any deadlines
23 associated with Defendant Zornes, and remove him from the caption of this case.

24 This order terminates Docket No. 67.

25 IT IS SO ORDERED.

26 DATED: November 3, 2014

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28 Maria-Elena James
United States Magistrate Judge

